



#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application) PATENT APPLICATION
Inventor(s): Morales, et al.)
SC/Serial No.: 09/773,312) Art Unit: Unknown
Filed: January 31, 2001) Examiner: Unknown
Title: METHODS FOR CHARACTERIZING AND) Customer No. 23910
REDUCING ADVERSE EFFECTS OF)
TEXTURE OF SEMICONDUCTOR FILMS)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231, on May 18, 2001.

Ben Borson
D. Benjamin Borson, Ph.D., Reg. No. 42,349
Signature Date: May 18, 2001

(Attorney Signature)

07/24/2001 LGIBBS 00000020 061325 09773312

01 FC:105 130.00 CH
02 FC:102 80.00 CHPETITION UNDER 37 CFR §1.47(a)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby petitions that the U.S. Patent and Trademark Office accept the present application without the signature of one of the joint inventors, Guarionex Morales, on the grounds that he refuses to sign the Declaration and Joint to Corporate Assignment that was provided to him. The other inventors wish to proceed on behalf of themselves and Mr. Morales.

Submitted with this petition are:

1. A Declaration by D. Benjamin Borson, Ph.D., attesting to attempts to obtain Mr. Morales' signature on a Declaration and Joint to Corporate Assignment, and documenting Mr. Morales' express refusal to cooperate in the filing of this application on behalf of his employer,
2. A Declaration and Joint to Corporate Assignment executed by Lu You, Richard J. Huang, Simon S. Chan, and Dawn Hopper on behalf of themselves and Guarionex Morales, and
3. The fee required under 37 CFR §1.17(i).

05/24/2001 SLUANG1 00000052 09773312

01 FC:122 130.00 OP

- 1 -

RECEIVED

MAY 29 2001

OFFICE OF PETITIONS

The last know address of Mr. Morales is:

Mr. Guarionex Morales
859 Blair Avenue, Apt. 4
Sunnyvale, CA 94087

Based on the foregoing, it is believed that Applicants have satisfied the requirements of 37 CFR §1.47(a), in order to proceed without the signature of Mr. Morales in this case. Should Mr. Morales finally return the Declaration and Joint to Corporate Assignment which he received by Certified Mail on January 30, 2001, it will be submitted promptly. Should there be any questions regarding this application, the PTO is invited to contact the undersigned attorney at the phone number listed below.

Respectfully submitted,

FLIESLER, DUBB, MEYER & LOVEJOY LLP

Date: May 18, 2001

By: D. Benjamin Borson
D. Benjamin Borson, Ph.D.
Reg. No. 42,349

FLIESLER, DUBB, MEYER & LOVEJOY LLP
Four Embarcadero Center, Suite 400
San Francisco, California 94111-4156
Telephone (415) 362-3800

RECEIVED
MAY 29 2001
OFFICE OF PETITIONS